

To: Allen, Matthew[matthew.allen@bsee.gov]
From: Bernhardt, David
Sent: 2017-10-18T10:53:14-04:00
Importance: Normal
Subject: Re: Concerns about BLM leadership
Received: 2017-10-18T10:53:26-04:00

Dear Sir: Thank you for your email. Upon receipt of your email, I called you to discuss the email, but you were not available. I appreciate that you have read my communications to employees. I will evaluate the allegations as appropriate. Given the issues raised in your email, I assume you have previously raised these issue with your supervisor and the Office of Inspector General as appropriate.

Respectfully,
David Bernhardt

On Wed, Oct 18, 2017 at 10:08 AM, Allen, Matthew <matthew.allen@bsee.gov> wrote:

Dear Deputy Secretary Bernhardt and Associate Deputy Secretary Cason,

I write to you today as a dedicated employee and a concerned citizen. Prior to being reassigned from my role as the Director of Communications at the Bureau of Land Management, I witnessed Acting Director Michael Nedd and Acting Deputy Director John Ruhs engage in activities that run counter to our responsibilities to the American public. After reading the Secretary's comments last Friday, as well as your own, Deputy Secretary, regarding holding employees accountable for their actions, I feel compelled to share this information with you as the higher reporting authority within our agency.

I offer to you below, in no particular order, actions I observed between the time Mr. Nedd became Acting Director in April 2017, until my departure in September 2017:

☐ The BLM acting leadership has monitored certain employee email accounts in an effort to find "leaks." It began as early as the April 10 reported leak of both Mr. Nedd's memo on priority work as well as the communications materials I had drafted regarding the same.

☐ During two meetings, Mr. Nedd instructed me that he wanted to review responses to Freedom of Information Act requests involving him before they went out. As you are no doubt aware, DOI has a significant FOIA backlog and many are working to respond to FOIA requests expediently so as to minimize FOIA litigation against the Department. I told Mr. Nedd I had two concerns about his instruction. First, I was concerned that adding another person to review responses would further delay the Department's FOIA responses. Second, I expressed that such review could pose a conflict of interest or give the appearance of unethical handling of FOIA requests.

- For several months, BLM was prepared to release responses to several information requests from Congress. In one instance, BLM had prepared tables of information as requested by Congressman Grijalva related to applications for permits to drill (“APDs”) and drilling activity. The BLM acting leadership delayed the response for several months, despite the information being readily available, on hand, and prepared for release. The BLM acting leadership ultimately decided not to provide the information requested, without articulating an explanation.

- Mr. Nedd, at taxpayer expense, participated in a three-day horseback ride and camping trip organized by the Idaho governor. This trip was non-essential travel for a recreational event and was attended despite the BLM acting leadership instituting travel restrictions on all other BLM staff, including field and line-level staffs that were prevented from traveling for the execution of their regular duties.

- Upon Mr. Nedd’s selection as Acting Director, his wife was non-competitively promoted. Cynthia Moses-Nedd was detailed outside of the BLM and into the DOI Office of Intergovernmental and External Affairs. This action was conducted without the input of her supervisor. I am aware of this because I was her supervisor at the BLM. The detail elevated Ms. Moses-Nedd’s authority several layers above her BLM position description. Additionally, Ms. Moses-Nedd continues to manage and execute external affairs activities on BLM’s behalf. She has been in this position non-competitively for approximately six months.

- Shortly after Mr. Nedd became Acting Director, the BLM.gov web page on climate change disappeared. As of today, the DOI.gov website still points to an inactive webpage on the matter (<https://www.doi.gov/climate/>). It is unclear who ordered the page’s removal. The issue was identified by a reporter during the summer and I brought it to the BLM acting leadership’s attention. I recommended the page be replaced, but the acting leadership refused. (<https://www.blm.gov/about/how-we-manage/climate-change>). To date, the page has yet to be replaced, which is inconsistent with DOI’s position.

- Mr. Nedd and Mr. Ruhs have removed probationary employees who were brought in prior to the new administration. Of the three SES members who were on probation, one was forced out of the BLM (me); another was placed in a detail assignment in Alaska on short notice. The third is still in his position but has been tasked with creating the reorganization plan for the BLM Washington Office that will do away with his position and directorate.

- Mr. Nedd and Mr. Ruhs deny staffing requests for hiring temporary details for key positions in the Washington Office, despite clear guidance to the contrary issued from your offices permitting such temporary positions. All the while, Mr. Nedd and Mr. Ruhs grant themselves approval for hiring their own staff into temporary details such as “special assistants” and Chiefs of Staff.

Additionally, in at least two cases Mr. Nedd and Mr. Ruhs wasted significant taxpayer dollars through staffing resources by authorizing positions be advertised at USAJobs.gov, but disallowing selection for the position.

- Mr. Nedd and Mr. Ruhs force other staff members into “acting” and detail roles without input from either the employee or the supervisor for extended periods of time, and without fairly competing those assignments in a fair or consistent manner. This hand picking of employees for certain roles has created a “spoils system” within the ranks of career federal employees and has contributed to lowered morale and decreased efficiency throughout BLM.

- Mr. Nedd and Mr. Ruhs are complicit in assembling lists of employees hired by the prior administration and provided lists to the Assistant Secretary for Land and Minerals office of individuals who worked on specific projects during the prior administration.

In conclusion, I am concerned that Mr. Nedd and Mr. Ruhs have exposed BLM and DOI to potential liability and they are diminishing the perception of the BLM to our many internal, external, and intergovernmental customers. Mr. Nedd and Mr. Ruhs have wasted taxpayer dollars and personnel hours.

In light of the Secretary’s statements, as well as your own, indicating a desire to hold staff accountable, and as part of your responsibility to the American taxpayer to work as effectively and efficiently as possible, I respectfully ask you to investigate these issues. In your emails, Mr. Bernhardt, you noted how such conduct reflects on us all. You also discussed the importance of faithfully discharging our duties. I took your statements to heart in deciding to send you this email. I remain deeply committed to DOI’s mission. I am happy to further discuss any of the above-mentioned items with either of you at your convenience.

Thank you for your time and consideration of these matters.

Very respectfully,

-Matthew R. Allen

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